

**Amendment**

**In the Claims**

1. (currently amended). A genetically engineered organism selected from the group consisting of bacteria and plants expressing the enzymes for producing polyhydroxyalkanoate (PHA),

~~the improvement further~~ comprising ~~providing the organism with~~ a transgene encoding an enzyme having the catalytic activity of 3-hydroxyacyl-ACP thioesterase and one or more transgenes encoding enzymes having the catalytic activity of acyl-CoA synthetase or acyl CoA transferase so that medium chain length PHA accumulates through the fatty acid biosynthesis pathway.

2. (cancelled).

3. (previously presented). The organism of claim 1 wherein the acyl-CoA synthetase is 3-hydroxyacyl-CoA synthetase.

4. (previously presented). The organism of claim 1 comprising a transgene alkK encoding an acyl-CoA synthetase.

5. (cancelled).

6. (previously presented). The organism of claim 1 expressing a heterologous 3-hydroxyacyl-CoA synthetase activity.

7. (previously presented). The organism of claim 1 wherein the enzyme is modified to enhance expression in the genetically engineered organism.

8. (currently amended). The organism of claim 1 expressing an enzyme selected from the group consisting of 3-hydroxyacyl-ACP thioesterase, medium chain length PHA synthase, and

medium chain length 3-hydroxy fatty acid acyl CoA synthase, wherein the enzymes are expressed in organism is a plant cell, plant tissue, plant organelle or whole plant.

9. (previously presented). The organism of claim 8 further expressing selectable marker genes, wherein the organism is a whole plant.

10. (previously presented). The organism of claim 1 expressing an enzyme selected from the group consisting of 3-hydroxyacyl-ACP thioesterase, a PHA synthase that incorporates medium chain length hydroxy acids, and medium chain length 3-hydroxy fatty acid acyl CoA synthetase, wherein the organism is a bacteria.

11. (currently amended). The organism of claim 8 wherein ~~expression of the transgene is targeted to a~~ the plant tissue or organelle is selected from the group consisting of seeds, leaf, plastids, and peroxisomes.

12. (original). The organism of claim 10 wherein the bacteria is *E. coli* and PHA accumulates within the bacteria.

13. (currently amended). A method of engineering a PHA biosynthetic pathway in a transgenic organism selected from the group consisting of bacteria and plants expressing the enzymes for producing ~~which produce~~ polyhydroxyalkanoate (PHA),

~~the improvement~~ comprising providing the organism with one or more constructs comprising a transgene encoding an enzyme having the catalytic activity of 3-hydroxyacyl-ACP thioesterase and one or more transgenes encoding enzymes having the catalytic activity of acyl-CoA synthetase or acyl CoA transferase so that medium chain length PHA accumulates through the fatty acid biosynthesis pathway.

14. (cancelled).

15. (previously presented). The method of claim 13 wherein the construct comprises a transgene encoding a 3-hydroxy acyl-CoA synthetase.

16. (original). The method of claim 15 wherein the construct further comprises a transgene encoding a PHA synthase.

17. (original). The method of claim 16 wherein the organism is a plant.

18. (currently amended). The method of claim 16 wherein the construct expresses an enzyme selected from the group consisting of 3-hydroxyacyl-ACP thioesterase, medium chain length PHA synthase, and medium chain length 3-hydroxy fatty acid acyl CoA synthase, wherein the enzymes are expressed in ~~organism~~ is a plant cell, plant tissue, an organelle or whole plant.

19. (original). The method of claim 16 wherein the construct expresses an enzyme selected from the group consisting of 3-hydroxyacyl-ACP thioesterase, a PHA synthase that incorporates medium chain length hydroxy acids, and medium chain length 3-hydroxy fatty acid acyl CoA synthetase, wherein the organism is a bacteria.

20. (currently amended). A method of making medium chain length PHA comprising growing a transgenic organism selected from the group consisting of bacteria and plants expressing the enzymes for producing polyhydroxyalkanoate (PHA), ~~the organism producing polyhydroxyalkanoate (PHA) and~~ expressing a transgene encoding an enzyme having the catalytic activity of 3-hydroxyacyl-ACP thioesterase and expressing one or more transgenes encoding enzymes having the catalytic activity of acyl-CoA synthetase or acyl CoA transferase, with substrates for fatty acid biosynthesis.

21. (cancelled).

22. (previously presented). The method of claim 20 wherein the acyl-CoA synthetase is 3-hydroxyacyl-CoA synthetase.

23-24. (cancelled)

25. (currently amended). The method of claim 24 20 wherein the organism expresses an enzyme selected from the group consisting of 3-hydroxyacyl-ACP thioesterase, medium chain length PHA synthase, and medium chain length 3-hydroxy fatty acid acyl CoA synthase, wherein the enzymes are expressed in organism is a plant cell, plant tissue, plant organelle or whole plant.

26. (original). The method of claim 24 wherein the organism expresses an enzyme selected from the group consisting of 3-hydroxyacyl-ACP thioesterase, a PHA synthase that incorporates medium chain length hydroxy acids, and medium chain length 3-hydroxy fatty acid acyl CoA synthetase, wherein the organism is a bacteria.

27-28. (cancelled).

29. (currently amended). The organism of claim 10 wherein the bacteria is *E. coli*, ~~the bacteria expresses 3-hydroxyacyl-ACP thioesterase~~ and wherein 3-hydroxy acids are secreted into the culture medium by the bacteria.

30. (currently amended). The method of claim 13, wherein the bacteria is *E. coli*, ~~the bacteria expresses 3-hydroxyacyl-ACP thioesterase~~ and wherein 3-hydroxy acids are secreted into the culture medium by the bacteria, further comprising collecting the 3-hydroxy acids from the medium.